

KATTEN MUCHIN ROSENMAN LLP

Stuart M. Richter (CA 126231)
2029 Century Park East
Suite 2600
Los Angeles, CA 90067-3012
Telephone: 310.788.4400
Facsimile: 310.788.4471

FREEBORN & PETERS LLP

Neal H. Levin (admitted *pro hac vice*)
311 S. Wacker Drive
Suite 3000
Chicago, IL 60606
Telephone: 312.360.6530
Facsimile: 312.360.6573

Attorneys for Plaintiffs
State Farm Mutual Automobile Insurance Company and
State Farm County Mutual Insurance Company

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY and STATE FARM
COUNTY MUTUAL INSURANCE
COMPANY OF TEXAS,

Plaintiffs,

vs.

SLAVIK STEIN, et al.,

Defendants.

vs.

SLAVIK STEIN, et al.,

Third-Party Respondents.

Case No. 2:10-cv-01332-AHM (FFMx)

JOINT WITNESS LIST

Plaintiffs State Farm Mutual Automobile Insurance Company and State Farm County Mutual Insurance Company ("Plaintiffs") submit that they plan to call the following persons as witnesses at trial in this matter:

<i>Number</i>	<i>Name</i>	<i>If Objection, State Grounds</i>	<i>Response to Objection</i>
PW 1	Jacqueline Stein 950 N. King Road Unit 116 West Hollywood, CA 90069		
PW 2	Yuri Stein 4660 Coldwater Canyon Ave. Studio City, CA (818) 242-2142		
PW 3	Lyudmila Gutgarts 7984 Oceanus Dr. Los Angeles, CA (323) 654-2840		
PW 4	Elioazar Gutgarts 7984 Oceanus Dr. Los Angeles, CA (323) 654-2840		
PW 5	Anatoly Kavunovsky 11549 Dona Pepita Studio City, CA		

	(323) 378-5422		
PW 6**	Marina Stein** 5353 Wilshire Blvd. Unit 313 Los Angeles, CA 90036 (213) 944-7050		
PW 7**	Semyon Spector** 731 N. Kikea Dr. Los Angeles, CA 90046		

** denotes that Plaintiffs may call this witness

Third-Party Respondents Marina Stein and Field Chasers, Inc. ("Third Party Respondents") submit that they plan to call the following persons as witnesses at trial in this matter:

<i>Number</i>	<i>Name</i>	<i>If Objection, State Grounds</i>	<i>Response to Objection</i>
TPR W 8	Marina Stein	Fed. R. Evid. § 601; Fed. R. Evid. § 602; California's Evidence Code § 701. See previous separately filed Plaintiffs' Motion in Limine To Bar Testimony Of Marina Stein [Dkt. # 90].	None of the authorities cited are on point. In fact they allow Marina Stein to testify – she is presumed competent. See previously filed Points and Authorities in Opposition to Motion to Bar Testimony [Dkt. # 94]
TPR	Semyon Spector	Fed. R. Civ. P. § 403.	This rule is not on

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	W 9		Plaintiffs were informed when they attempted to serve Mr. Spector for deposition in February of 2011 (including being informed by counsel for Third-Party Respondents) that Mr. Spector had been hospitalized, had recently undergone quadruple bypass surgery and is going to be in recovery for weeks, and is expected to also have surgery for an aneurism. Therefore, Plaintiffs were unable to depose Mr. Spector. Allowing him to now testify at trial will unfairly prejudice Plaintiffs. <i>See also</i> Plaintiffs' Evidentiary Objection To The Declaration Of Semyon Spector [Dkt. # 75].	point. No basis – no excuse for failure to depose. Hearsay objection. Clear that no service of subpoena for deposition was made. Neglect to depose is no basis for objection to testimony. See also previously filed Reply Memorandum of Points and Authorities at pp.8-9 [Dkt. #80]
24 25 26 27 28	TPR W 10	Ella Brodsky	Fed. R. Evid. § 403. Ms. Brodsky allegedly resides outside of the United States. Plaintiffs did not depose Ms.	FRCP 26(b)(1) allows discovery relevant to party's claim. FRCP 28(b) allows and

1		Brodsky as she was outside	provides for out-of-
2		of the courts' subpoena	United States
3		powers. Allowing her to	depositions. Rule 29
4		now testify at trial will	allows parties to
5		unfairly prejudice Plaintiffs.	stipulate to
6		<i>See also</i> Plaintiffs' Motion	depositions anywhere.
7		In Limine To Bar	No attempts to do so.
8		Declaration Of Ella Brodsky	In any event, no basis
9		[Dkt. # 91].	to bar testimony.
10			Also, see previously
11			filed Points and
12			Authorities in
13			Opposition to Motion
14			to Bar. [Dkt #95]

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16 Plaintiffs and Third-Party Respondents hereby expressly reserve the right to
17 amend or otherwise modify this Witness List.
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19 DATED: May 9, 2011

KATTEN MUCHIN ROSENMAN

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21 By: /s/ Stuart M. Richter

Stuart M. Richter

22 Attorneys for Plaintiffs State Farm Mutual
23 Automobile Insurance Company and State
Farm County Mutual Insurance Company

24 DATED: May 9, 2011

LAW OFFICE OF GERALD I. NEITER

25
26 By: /s/ Gerald I. Neiter

Gerald I. Neiter

27 Attorneys for Third Party Respondents Marina
28 Stein and Field Chasers, Inc.